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November 19, 2014

Honorable Jerome B. Simandle, U.S.D.J.
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets
Camden, NJ 08101

Re: Jake Ball Trust v. Matthew Durst
Case No. 1:12-cv-05255-JBS-JS

Dear Judge Simandle:

We represent the Plaintiffs in the above matter. In that regard, Defendant, Robinson & Cole, LLP has filed a Motion for Summary Judgment returnable December 1, 2014. I respectfully request a delay to allow my response to be filed no later than Monday, November 24, 2014. Robinson & Cole, LLP has refused to consent to this delay.

The Scheduling Order in this matter required my response by Monday, November 17, 2014. Due to personal problems of my own I was unable to meet the deadline. My client was very timely in providing me with documentation and information which I was unable to collate in a timely manner.

Without getting into details, last week I had a personal emergency involving my 91 year old mother's residency at a local nursing home and at the same time had a public sewer backup into my personal home. As a result of these distractions, I fell behind in my responsibilities.

The delay was no fault of my client.

I should also point out that there is no prejudice to my adversaries in that the Scheduling Order for this matter calls for dispositive motions due no later than April 30, 2015 (over 5 months from now).

In addition, discovery in this matter is not yet concluded.

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I respectfully request a short continuance. I will have my responsive pleading filed no later than Monday, November 24, 2014.

Needless to say, if my adversaries require additional time to file a response, I would be agreeable to providing this courtesy.

Let me take this opportunity to thank the Court for its courtesy and consideration.

Respectfully,

THE D'ELIA LAW FIRM, LLC

By: /s/ Vincent D'Elia

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